

MAYOR ON EIGHT-HOUR LAW.

IT SHOULD ALWAYS BE OBSERVED IN CITY WORK, HE SAYS.

But when it is proposed that the city's use of its functions shall be dependent upon somebody else observing the law, it is going too far.

Mayor Low sent yesterday to President Alexander E. Orr of the Rapid Transit Commission a letter impressing upon him the desirability of observing the Eight-Hour law on the subway work. The letter was the result of a complaint made to the Mayor two or three weeks ago by the labor unions that in the section of the subway for which William Bradley has the sub-contract, the eight-hour provision was being violated. The Mayor added that he had received from the Department of Labor of the State of New York an intimation that certain details of the Eight-Hour law were being violated upon other sections. The Mayor wrote:

While it is important that the streets be cleared and the subway opened at the earliest possible moment, I do not think that the city should be forced to observe the Eight-Hour law. I am inclined to propose the following interpretation of the law and to urge its application. In business sections of the city where blasting is done at night as well as in the daytime, I think the work should be carried forward continuously in three shifts of eight hours each in residential districts, on the other hand, where blasting cannot be done at night, I think that overtime may be asked, which, of course, paid for as such, in accordance with the emergency provisions of the law itself.

I firmly believe that it is the part of wisdom for the city to encourage in every way the eight-hour day and the payment of the prevailing rate of wages. My reasons for this belief are stated briefly during the campaign. They are, in brief, these: The city can wisely do everything within its power to improve the standard of living of its own laboring people. There are certainly two things that it can do in this connection. First, it must insist upon the enforcement of the Eight-Hour law in all public work done directly for itself, and it can set a good example by voluntarily granting to the laborers and mechanics employed by itself, the prevailing rate of the eight-hour day and by paying them the prevailing rate of wages. These things are clearly within the city's power and its right, and these things, in my judgment, it ought to do without hesitation.

When, however, it is proposed that the city shall make the exercise of its governmental functions dependent upon an agreement by somebody else that he will do these things, it has no right to demand that it should do as well as every body who files a plan for a building to agree to accept the eight-hour day and to pay the prevailing rate of wages as a condition of approving his building plans as to the granting of a franchise to agree to do these things as a condition of getting the franchise.

If this principle is sound at all it is sound all the way through, and the city might then be presented with the city's declining to enforce the eight-hour law and its right to those who are obliged to ask for permits of any kind would agree to execute the work authorized by the city and to observe the eight-hour day and the prevailing rate of wages. I think it is evident that the law gives to the city no such authority.

FOR PARK AVENUE WIDENING.

Local Improvement Board Favors Granting the N. Y. Central's Request.

The Murray Hill local board will report favorably upon the petition of the New York Central Railroad to increase its terminal facilities by widening Park avenue fifty feet between Forty-seventh and Fifty-fourth streets, and by closing the intersecting streets for the necessary length.

At the hearing yesterday, Assemblyman James M. Wainwright of Westchester, James L. Goulden, Tax Commissioner, James L. Wells, Everett P. Wheeler, William A. Martin, president of the Hudson River and Company and Charles A. Blarney, spoke in favor of the petition. Assemblyman Wainwright raised the question that a clause should be inserted in the agreement which would compel the New York Central and Hartford Railroad Company to use electricity in the tunnel as well as the Central.

"If you don't do that," said he, "then the central will adopt electricity and the New Haven Company may use it and you will be powerless to compel them to do it."

MURRIEL PAID THEIR FINES.

Soldiers Feared Willets Point Guardhouse More Than Jail.

While on a Long Island ferryboat Friday morning five soldiers from Fort Totten, at Willets Point, became involved in a quarrel with Special Officer Stapleton. When the boat landed in Long Island City the special officer, the assistance of Police Commissioner Stull and two, John A. Kearling and James Small, were arrested. They were fined \$5 each. They had no money and were sent to the county jail for five days.

YOM KIPPUR.

The Hebrew Fast Day Began at Sundown Last Evening.

The Fast of Yom Kippur or the Day of Atonement, one of the most solemn ceremonies of the Jewish faith, began last night at sundown and will last until sundown to-morrow. In the synagogues throughout the city the usual services were attended by Hebrews of all classes. The fast is one observed by liberal as well as orthodox Jews the world over.

In no part of the city is the fast so faithfully observed as on the lower East Side. Promptly at sundown last night there was a transformation all over the district. All business was suspended, and the streets were empty.

The regular synagogues could not hold the crowds and temporary places of worship were established in halls and vacant stores. This morning the services were attended by Hebrews of all classes. The fast is one observed by liberal as well as orthodox Jews the world over.

WET FINGER TEST FOR POWDER.

Sergeant Petty Emulates Sherlock Holmes in Investigating a Crap Game Murder.

Police Sergeant Petty, the pistol shot expert, is the prosecution's main hope in the trial of Carmine De Mito for murder in the second degree before Judge Foster in General Sessions. Carmine De Mito was shot after a Monroe street crap game last June. When De Mito was arrested, Sergeant Petty wet his own front finger and then that of the Italian, rubbed the wet finger tips together and then pressed upon his finger nail and said he found more powder. Assistant District Attorney Ely says this shows that the Italian fired the fatal shot, although several witnesses have testified that he did not shoot at all. The case will go to the jury on Monday.

Hapital Conference Begins Oct. 21.

The annual session of the Long Island Baptist Association, which is composed of all the Baptist churches in Brooklyn and Long Island, will be held this year in the Greenwood Baptist Church, Sixth street and Seventh avenue, Brooklyn, from Oct. 21 to Oct. 23, inclusive. Morning and afternoon meetings will be held each day.

WIFE SAYS SHE SHOT TO KILL.

Husband Declares His Wound Was Accidental and Makes No Charge.

Anger, cords, followed by three pistol shots, late on Thursday night, in the rooms of George Wagner, a brewery driver, of 180 Johnson avenue, Williamsburg, awakened other inmates in the house and brought Police Officer Lawler of the Stagg street station. He discovered that Wagner had been shot in the left hand. Wagner said that his wife had shot him during an argument. A few minutes later he said that while his wife was shooting at the wall she accidentally hit him. Mrs. Wagner denied her husband's second story. She stated that for several months he had maltreated her and often had threatened to kill her.

"He told me to-night," Mrs. Wagner went on, "that he wouldn't rest until he had hurt me severely, and then I made up my mind to shoot him. I shot at the wall three times with the intention of killing him and I am sorry that I didn't succeed."

Lawler took Wagner and his wife to the police station. The policeman took along the revolver, which Mrs. Wagner had given to him. Ambulance Surgeon Hart of St. Catherine's Hospital bandaged Wagner's wound. Wagner insisted that his wife did not shoot at him, while Mrs. Wagner declared again and again that she did, and that all she regretted was that she had failed to kill him.

As Wagner would not make a charge against his wife the police did not detain her. They left the police station together.

VICTIM OF FORTUNE TELLERS.

Young Woman Driven to Madness by Belief in Their Tales.

Miss Beatrice Yadel, 28 years old, of 103 Bergen street, Brooklyn, well dressed and of cultured manners, was arrested at her own request by Patrolman Whitman of the Classon avenue station early yesterday morning. The officer found her at Fulton street and Hudson avenue, acting strangely.

Miss Yadel is of a well-to-do family in Paris and is well supplied with funds. She told Police Capt. Baldwin that her troubles are all due to the influence of fortune tellers, she said, in both this country and Europe, have repeatedly told her that she is in danger of losing her life and that she must leave this country and go to Europe. She left Paris because of the fortune tellers' assurance that the beautiful influence would leave her if she were to get away. On her arrival in this country she took rooms in Brooklyn. For a time things went well. On Sept. 20 she consulted a fortune teller in Manhattan and was again told of the unknown man and his beautiful influence. Other fortune tellers told her the same thing.

Miss Yadel decided to lay her case before United States Commissioner Morris. On Thursday she told her story. The Commissioner told Miss Yadel that he would take her to a boarding place where she would be properly cared for. He took her to a private sanitarium at 122 Fort Greene place, Brooklyn. Shortly after midnight she dressed and walked out of the house and was later found by the police. Her relatives will be notified.

WEALTH OF ALLEGED LUNATICS.

Commissioners to Inquire How They Gained It in Realty Passed From Them.

Justice Leventritt, in the Supreme Court, appointed two commissioners yesterday to investigate the sanity of two brothers, John J. and Samuel W. Nichols. The commissioners were appointed on the application of Albert P. Nichols, a nephew of the two alleged lunatics, who are respectively 68 and 65 years of age.

Albert P. Nichols alleges that his uncles have been idle since their birth, and have been under the control of their sister, Susan W. Nichols. They had an eighth interest each in properties at 60 Madison lane, 21 Liberty street, 16 East Seventy-fourth street and 57 Cedar street. About twenty-five years ago, it is asserted, the alleged lunatics transferred these interests to their three brothers and two sisters, and subsequently the interests were again conveyed by deed, the Madison lane and Liberty street parcels to Wesley Thorne, the cedar street property to an insurance company and the Seventy-fourth street lot to William G. Park.

Justice Leventritt issued an order restraining the insurance company, Park and Thorne from transferring or in any way disposing of their alleged interests in these properties until after the result of the investigations by the two commissioners has been made known. The commissioners were specially directed to inquire into the circumstances under which the deeds of the properties were conveyed to the present holders.

The interests involved were said to be worth \$100,000 in the case of John and \$150,000 in the case of Samuel Nichols.

IF THE MOTORMAN DIES.

B. R. T. Counsel Explains to the Aldermen There's No Need for a Second Man.

The Aldermen's Committee on Railroads held public hearings yesterday upon proposed ordinances requiring the employment of two motormen on trains operated by electricity on elevated railroads, giving transfers to passengers on delayed cars and requiring cars to be equipped with automatic funders.

Counsel for the Brooklyn Rapid Transit Company pointed out that, as the instant motorman took his hand off the electric controller the train would stop, there was no need for a second motorman.

There was no discussion on the proposed transfer ordinance, but an inventor of a patent transfer took up the time of the committee for an hour in urging the merits of his construction.

The hearings lasted to so late an hour that the committee postponed drawing up its reports.

VICOMTESSE'S PROPERTY HERE.

Mme. de Courval Leaves \$100,000 Invested in This State to Her Daughter.

The will of Mary Ray, Vicomtesse de Courval, and widow of Arthur Constant du Bois de Courval, was filed yesterday in the Surrogate's office. The Vicomtesse, who died in Paris on July 5 last, was the daughter of Richard Ray. She owned real and personal property in this State, valued altogether at \$100,000. The residuary left annuities of \$200 each to Jane and Fanny Blauvelt of New Brunswick, N. J., and directed that her residuary estate go to her daughter, Marie de Courval, Princess de Poix. She appointed the New York Life Insurance Company executor and trustee.

Burns Can't Be a Detective.

Supreme Court Justice Cochrane, in Brooklyn, has handed down a decision denying the application of Edward T. Burns for a writ of mandamus to compel Police Commissioner Partridge to rank him as a detective sergeant.

Burns was a detective sergeant in the Brooklyn Police Department, but was removed from the rank of sergeant by Commissioner Partridge in 1901. Subsequently Commissioner Partridge reduced him to the rank of Justice. Burns claims that the law under which Burns was promoted was unconstitutional.

Special Jurors to Try Mothers.

Although the trial of Roland B. Molinoux is to begin in the Criminal Branch of the Supreme Court on Monday no subpoenas have been sent out for witnesses for Monday or Tuesday. Application is to be made to a special panel of jurors.

Have Dinner a Little Later.

If you don't have time to register this morning, stop at the booth on your way home to dinner. Your family will keep dinner a few minutes for you.

In the Class B team match of the Women's

GOLFING FOR OPEN HONORS.

AUCHTERLONIE LEADS THE FIELD AT GARDEN CITY.

Gardner, the Home Professional, in Second Place—Travis Does Not Uphold the Hopes of His Friends—A Good Day's Playing on the Long Island Links.

Seventy-nine returned their cards out of the ninety-seven entered for the open championship of the U. S. G. A. yesterday at the links of the Garden City Golf Club. There was a great turnout to see the play and a greater gathering is expected for the wind-up to-day. The finish saw Laurence Auchterlonie, the St. Andrews M. A. who went to Chicago four years ago to make a living at the club in the lead with 74. Next came Stewart Gardner, the Garden City professional, with 75. Travis, his 76 the best record of the day. Alec Ross, an unknown quantity from Pinehurst, N. C., with 100, and then came three ties at 101. The winner, the title holder, 79, 82, Will Smith, open champion of 1899, 82, 79, and Fred Herd, open champion of 1900, with precisely the same totals. Aside from the Scott from Pinehurst the finish was a great turnout to see the play and a greater gathering is expected for the wind-up to-day. The finish saw Laurence Auchterlonie, the St. Andrews M. 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